

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

CR 20-50094

Plaintiff,

FACTUAL BASIS STATEMENT

vs.

ROBERT LEE GOODWILL, JR.,

Defendant.

The Defendant states the following facts are true, and the parties agree that they establish a factual basis for the offense(s) to which the Defendant is pleading guilty pursuant to Fed. R. Crim. P. 11(b)(3).

In August 2020, law enforcement agents engaged in a joint undercover child exploitation/human trafficking operation coinciding with the 80th Annual Sturgis Motorcycle Rally being held in Sturgis, SD and the surrounding Black Hills area. On August 7, 2020, at approximately 8:27 PM, via Skout a subject using Skout screen name "Jacobi," later identified as Robert Lee Goodwill, Jr., initiated a conversation with the reporting agent. Skout is a dating application which operates solely on the internet and is therefore in and affecting interstate and foreign commerce. Below is a brief summary of the conversation.

- "Jacobi" asked the reporting agent, "Jwing what u on here for? Money relationship fk buddy sugar daddy?" the UC stated, "Fun and meeting people u?" "Jacobi" replied, "Fun like fking lol or drinking or riding around music cuddles and movies lol talk to me."
- The reporting agent asked, "U got kik?" "Jacobi" replied, "Nope u want money or no?" the UC stated, "I'd definitely take a donation."

- Later in the conversation, the UC provided a cellular telephone number to "Jacobi." the UC advised "Jacobi" to text "her" if he wanted.
- Based on the training and experience of the reporting agent, the UC knows that individuals utilizing the application SKOUT will report individuals for policy violations, to include age, resulting in evidence being deleted and/or lost.

Below contains a brief summary of the text communication between "Jacobi" and the reporting agent:

- After some initial conversation, Jacobi asked the UC, "Hahahha soooo? Wtm" The UC replied, "Depends on what you want?" "Jacobi" stated, "Omg tell me what u want so I can tell u if that's what I want or not." The UC said, "Shit ...just forget it. I ain't playing games and wasting my time." Jacobi responded, "Omfg ur so (emojis depicting laughing face with tears) im trynna fk ur fine ass and im trynna chill and cuddle. So u down or nah? Shdd I got whatever u need." The UC responded, "Hell yeah! If you don't freak out that I'm 15 years old...some guys freak out when I tell them. I'm trying to get a new phone and shit."

During the conversation, and after learning "she" was only 15-years-old "Jacobi" requested numerous photographs of the undercover persona. The initial pictures he sought were images of child pornography. He ultimately wrote that a "pic" of her "face" would be sufficient, but only after the undercover persona refused to provide images of child pornography.

The communications also included:

- "Jacobi" stated, "Money not the issue u coming here or im pick u up? The UC responded, "Picking me up please, I'd like to get at least \$100."
- "Jacobi" asked, "Ur 18 right yes? Ok ima come if so." The UC replied, "What? You playing games? No, I'm 15 years old...silly. Lol Please don't forget the condoms."
- "Jacobi" stated, "What??? Are ur parents not even worried about u that's not safe at all. But ill pick u up we prolly wont fk but ill hear u out and help u get a lil money for ur phone."
- "Jacobi" stated, "Bruh are u coming or not I swear on everything if u don't answer yes or no in the next text message im blocking u leaving and u not getting anything I have moey money not an issue with me this ur last chance quit asking about money youll get it are u coming

or no. I didn't drive here for noin." The UC replied, "Bye I guess." "Jacobi, responded, "Bruh ill do \$140 yess or no like I drove here bruhh.?" ("Jacobi" also sent a video showing U.S. currency being placed on what appears to be a bed. "Jacobi" also attempted to telephonically contact the UC.) The UC said, "I don't belive you...you changed our deal and that looks like a bed." "Jacobi" responded, "Look nothing changed same thing we said was happening and im giving u \$140 so are u willing to come or no lucy?....before it gets too late." the UC replied, "are we going to fuck? I cant figure out what we re doing. No games!" "Jacobi" advised, "Yes if u want to we will so can u come or no?"

On August 7, 2020, the undercover persona told Goodwill to drive to the Stevens High School tennis courts in order to meet. Goodwill stated he wanted to meet at the church at the top of the hill near the school. At approximately 10:50 P.M., law enforcement agents observed Goodwill in his vehicle at the church and subsequently arrested him. In his vehicle, agents located two phones, including one with SA Propes' undercover phone number visible on the notification banner. He only had \$1 in his possession.

Law enforcement transported Goodwill to HSI Rapid City for processing and interview. Det. Elliott Harding and HSI SA Michelle Pohlen interviewed Goodwill and he confirmed he communicated with "Lucy" and that he knew she told him that she was 15-years-old. He denied he would have had sex with her and claimed he would have confirmed her age.

During the same time he was communicating with SA Propes's undercover persona, he was also communicating with Det. Harding via Plenty of Fish. Plenty of Fish is an online dating application, often used for sexual hook-ups. During that communication, Det. Harding was posing as a 13-year-old female. After

being told she was 13, Goodwill continued to pursue the minor to engage in unlawful sex acts. His arrest interrupted his communications with Det. Harding's undercover persona. In his interview, he also admitted communicating that day with persons on Plenty of Fish.

Additionally, Goodwill attempted communications with several other agents during the operation, including the week before when he attempted to engage in unlawful sex acts with Special Agent Michelle Pohlen's undercover persona posing as minor.

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1-4-21
Date

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Date

Robert Lee Goodwill, Jr.
Robert Lee Goodwill, Jr.
Defendant

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Date

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